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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,977	07/08/2003	Masaaki Hiroki	0553-0228.01	8806

7590 05/18/2005

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EXAMINER

PARKER, KENNETH

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/614,977	Applicant(s) HIROKI, MASA AKI	
	Examiner Kenneth A. Parker	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-46 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 15-46 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33-36, 41, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahara et al 6049364 in view of Markandey et al 5504504.

The reference shows regarding claim 33, 41, 46, a defective pixel compensation system comprising: a display device having three display panels, each of the three display panels displaying only one color image (see cover); means for specifying a display panel having a defective pixel out of the three display Panels; means for specifying coordinates of the defective pixel (these means are broad and met by any means for identifying and specifying location, therefore inherent to any system that does correction as identification is absolutely necessary for correction); means for changing the defective pixel to a dark dot is specified in column 57, lines 5-15 including the use of the laser (claims 41 and 46)

Lacking from the disclosure is means for increasing a brightness of at least one of the pixels having coordinates adjacent to the coordinates of the defective pixel.

Markandey et al disclose that their system reduces the impact of a defect (column 4). Therefore one of ordinary skill would have found reason, motivation or suggestion to modify the device of Takahara for the benefit stated above.

The reference shows regarding claim 34. A defective pixel compensation system according to claim 33, wherein the system is used for a projection display device (it is a projection device).

The reference shows regarding claim 35. A defective pixel compensation system according to claim 33, wherein the display panel is an active matrix type (as shown in figure 5 and discussed throughout).

The reference shows regarding claim 36. A defective pixel compensation system according to claim 33, wherein the display panel is a liquid crystal panel (discussed throughout, start with columns 1 and 2, where it is discussed in each paragraph)

Double Patenting

Claims 15-32, 37-40, 42-45, are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6618115 in view of Tomita et al 5926246.

Although the conflicting claims are not identical, they are not patentably distinct from each other because they differ only in minor wording and the changing of a light pixel to dark and the associated laser usage (claims 42-46). Claims 15, 19, 24 and 28 are essentially the same as claim 2 of the patent except for minor wording variations (slightly broader) and the differences listed above. The dependent claims 16, 20, 25, 29

where the system is used for a projection display device is met by the independent claims 1 and 2 of the patent, and the dependent claims 17, 22, 27, 31 where display panel is an active matrix type is met by the patents claims 5 and 6 except the differences mentioned above, and the dependent claims 17, 23, 28, 32 in which the display panel is a liquid crystal panel is met by 7-8 except the differences above, and claims 21 and 26 are met by the patent claim 3 except for the differences above.

For examining purposes, any dot which is not dark is taken as light. Tomita discloses a method of improving defects using a laser to convert light dots to dark (including the details of 37-40 and 42-45). Tomita indicates that their method prevents deterioration of the display (column 4, lines 15-25). Therefore it would have been obvious in the compensation systems of the patent claims listed above, to employ the method of correction of Tomita for the advantages listed above.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

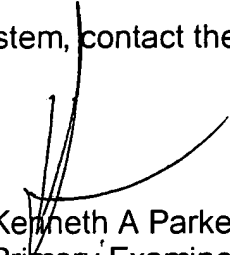
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Parker whose telephone number is 571-272-2298. The examiner can normally be reached on M-F 10:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2871

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth A Parker
Primary Examiner
Art Unit 2871